

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KALLIJACH ANTONIO,

Plaintiff,

-against-

UNITED STATES OF AMERICA;
CONFIDENTIAL INFORMANT #1;
CONFIDENTIAL INFORMANT #2;
CONFIDENTIAL INFORMANT #3,

Defendants.

23-CV-0079 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

By order dated March 6, 2023, the Court directed Plaintiff to file an amended complaint within 60 days. That order specified that failure to comply would result in dismissal of the complaint. Plaintiff has not filed an amended complaint.¹ Accordingly, the Court dismisses the complaint, filed *in forma pauperis* (“IFP”) under 28 U.S.C. § 1915(a)(1), for failure to state a claim on which relief may be granted. *See* 28 U.S.C. § 1915(e)(2)(B)(ii).

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

¹ On March 8, 2023, the Clerk of Court mailed of copy of the Court’s March 6, 2023, order to Plaintiff at Plaintiff’s address of record. On April 10, 2023, it was returned with a notation from the United States Postal Service that the address to which it was mailed was insufficient. Plaintiff’s address of record matches the address that Plaintiff provided in the complaint. Plaintiff has failed to notify the court of a change of mailing address and has not initiated any further contact with the court, written or otherwise.

The Court directs the Clerk of Court to enter judgment in this action.

SO ORDERED.

Dated: May 17, 2023
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge